

1906-030
Lee Co.

Chancery Causes: Henry Gibbons vs. Louisa Gibbons

Farley, Garrett, Nelms, Sparks, Collier

CA-Divorce
T-Vices

To the honorable J. S. W. Sheen Judge of
the Circuit Court of Lee County Va.
Humbly complaining your orator, Henry
Gibbons, would respectfully represent
and shew unto your honor; that he was
married to Louisa Farley his present
wife, on the 20th day of June 1904, in said
County, and they lived together as man and
wife until the 16th day of October 1904, when
he became satisfied, that his said wife had
been guilty of adultery with other man
at and near his residence, in said County,
on and before the said 16th day of Oct 1904,
and since the said 16th day of Oct 1904, he
has not lived, or cohabited, with his said
wife; and that the said acts of adultery
were not committed, by his procurement
or connivance.


The object therefore of this bill is to obtain
a divorce from the bonds of matrimony
existing between your orator and his said
wife. To this end he makes the said
Louisa Gibbons, the party defendant hereto
and asks that she be required to answer the
same, but not an oath, answer under oath
being waived, and that on a hearing the
relief alone prayed for be granted together

with all such other further and general
relief as his cause may merit. And your
orator will ever pray &c.

Chas. Keel, Jr. 27.

Henry Gibbons
vs Bill in Chy.
Louisa Gibbons.

Henry Gibbons

v.  Dorothea Bice

Louisa Gibbons.

1904. 1st. 100 Rules Bill
filed, 8th. Executed and
returned filed, 1st. 1st. 1st. 1st.
" 2nd. 100 Rules
Cause set for hear-
ing.

Costs:

Clerk 5.85-

Shff. 1.70

Atty. 15.00

Dist. 1.50

Comm. .75-

\$25.80

1900 to 1910

Henry Gibbons, Complainant,

Vs. Divorce

Louisa Gibbons, Defendant.

To the Hon.H.A.W.Skeen,Judge of the Circuit Court for Lee County:

The demurrer and answer of Louisa Gibbons to a Bill in Chancery exhibited in the Circuit Court for Lee County against your respondent by Henry Gibbons,for a divorce.

Your respondent comes and says that the said bill of the said complainant is not sufficient in law to call upon her to answer,in that it does not aver jurisdiction of the court,it being provided by law that the complainant must have resided in the State and in the county for at least 12 month previous to the institution of such suit,and no such allegation is made. The said bill is intended to be a bill for divorce on the ground of adultery,yet the said complainant has not sufficiently alleged the commission of adultery. He says in his bill that "on the day of October,1904,he became satisfied that his said wife had been guilty of adultery",neither does the said bill allege with whom the adultery was believed to have been committed,all of which allegations your respondent is advised are necessary to make a good bill for divorce.

Yet your said respondent not waiving her said demurrer,should other and furthur answer be required of her,answering she says that she most empatically denies that she has ever in her life,before or

after her marriage with the said Gibbons was guilty of that crime of adultery. She alleges that all such allegations brought against her and her character in this suit is a falsehood. Your respondent says that she would have no objection to the court granting the said Gibbons a divorce if it could be legally done, and she comes not in this suit resisting a decree for a divorce but to vindicate her character against the false and slanderous charge of adultery. Your respondent is an old woman with many grandchildren, and through her entire life has tried to live a correct life and be an upright woman, and the thought of adultery has always been and is now as far from her mind as the east from the west, and it is to clear her name and refute the slander brought against her in this suit, that her name may stand clear to her children and her grandchildren, and her posterity that will follow her. And now having answered as fully as your respondent deems it necessary that she should answer, prays to be hence dismissed with her reasonable costs in this behalf expended.

Rebecca B. B. B. B.D.

Lauria Gibbons

also $\frac{3}{3}$ Anwar

Henry Gibbons

Filed 1st 100 Rules
1904.

Henry Gibbons, Complainant
vs. } In Chancery
Louisa Gibbons Defendant

This cause came on this day
to be heard upon the bill of the
complainant, the answer of the
defendant, the deposition of
witnesses, and was argued by
counsel:

On consideration of all which
and the Court being of opinion
that the said complainant has
failed to sustain the allega-
tions of his bill it is ~~ordered~~
adjudged, ordered and decreed
that said plaintiff's said bill
be and the same is hereby
~~dismissed~~ struck from the docket.

It is further adjudged, or-
dered and decreed that said
defendant recover from the
said complainant her ^{taxable} costs
in this case.

Henry Gibbons

and of Dr. J. C. Linn

Samuel Gibbons

Entered in C.B.
#8, page 218-

Entered in
Sept. 25-1906

H. A. W. Stone

The depositions of Silas Garrett and others taken before me Geo.P.Cridlin, a Commissioner in Chancery for the Circuit Court of Lee County, Virginia, on the 28th day of November, 1904, at the law office of R.L.Pennington in Jonesville, Va., pursuant to agreement of parties, which depositions are intended to be read as evidence in behalf of the plaintiff in a certain suit in chancery now depending in the Circuit Court of Lee County, Virginia, in which Henry Gibbons is plaintiff and Louisa Gibbons is defendant,

Present: James W.Drr for plaintiff, and

R.L.Pennington for defendant.

Silas Garrett a witness of lawful age being duly sworn deposes as follows:

Q.1.-- Please state your age, occupation and place of residence.

A.-- I am 48 years old, am a farmer, live 2 1-2 miles east of Jonesville

Q.2.-- Are you acquainted with the parties to this suit, and if so how long have you known them?

A.-- I am acquainted with said parties. I have known Mr. Gibbons for thirty years or more, and have known Mrs. Gibbons some twenty five years.

Q.3.-- Did the defendant ever live near you, and if so how near and what length of time did she live there?

A.-- She lived within 150 yards of my house about 18 months. This was something over four years ago. The house she lived in was in plain view of the back side of my house. ~~XXXXXXXXXXXX~~ Before this she lived in about one-fourth of a mile of me. Since she married Mr. Gibbons she has lived about one and a half miles from me.

Q.4.-- Are you acquainted with John Collier?

A.-- I am.

Q.5.-- Please state whether or not Mr. Collier ever visited the defendant while she lived near you and if so how often?

A.-- He went there very often.

Q.6.-- State whether or not he furnished the defendant anything in the way of support and maintenance or of help in any manner,

~~and in so what and how much and any~~

and if so what, and how much and anything you may know about it?

Obj.-- The foregoing question and any answer thereto is objected to because immaterial and irrelevant, and if offered for the purpose of tending to show prostitution previous to the date of marriage, plaintiff must show that he had no knowledge of the conduct previous to his marriage.

R.L. Pennington for deft.

A.-- I never saw him take anything there except to haul her wood and made a road through my place to get there with the wood. I have seen him haul wood there several times.

Q.7.-- When Mr. Collier visited the defendant, how long did he ever stay if you know?

A.-- I could not tell. Sometimes I would see him go and would not know when he left. Sometimes he did not stay long.

Q.8'-- Have you any knowledge of Mr. Collier visiting the defendant and since her marriage to the ~~xxxxxxx~~ plaintiff?

A.-- I do not. I have seen him going in that direction but don't know where he went to.

Cross Examination.

X.Q.1.-- The wood you speak of Mr. Collier furnishing to the defendant and Mrs. Farley, was furnished before she was married the last time was it?

A.-- Yes.

X.Q.2.-- Do you know for what reason he furnished the wood?

A.-- I do not.

X.Q.3.-- Do you know for what reason Mr. Collier visited Mrs. Farley?

A. No.

X.Q.4.-- John Collier ever visit your house any?

A.-- Yes sir.

X.Q.5.-- Was he not accustomed to visiting his neighbors very frequently, especially those who lived close to him?

A.-- Yes he is a very friendly man and visited among the people. He is a good hand to go to workings.

And further this deponent saith not.

his
Silas X Garrett
mark

Robert Nelms another witness of lawful age being duly sworn deposes as follows:

Q.1.-- Please state your age, place of residence and occupation?

A.-- I am 48 years old, reside about 1-2 miles from Jonesville, about 1 1-3 miles from the defendant. Am a painter.

Q.2.-- Are you acquainted with the parties to this, suit and if so how long have you known them?

A.-- I know them when I see. I have known Mrs. Gibbons for 18 years, and have known Mr. Gibbons some three or four years.

Q.3.-- Are you acquainted with John Collier and if so how long have you known him?

A.-- I have known him some 18 or 20 years.

Q.4.-- State whether or not Mr. Collier ever visited the defendant, of which you had knowledge and if so how often?

A.-- I saw him there once is all I remember.

Q.5.-- State when that was and who else was there is you remember?

A.-- It was some time during this month some three weeks ago. Myself and wife, George Terry's wife, Mr. Collier and Mrs. Gibbons, is all that I remember.

Q.6.-- Was there any conversation between Mr. Collier and Mrs. Gibbons on that occasion, and if so state what they said.

A.-- Mr. Collier was talking about Mr. Gibbons, he was doing most of the talking. He was talking about Mr. Gibbons getting a divorce, and said if Mr. Gibbons would come in he would grab Mrs. Gibbons and kiss her and see whether or not Gibbons would fight. He was laughing and talking. He said to Mrs. Gibbons, if he wants a divorce let him get. He said to her that she would like to have Mr. Gibbons to sleep with this winter, and she said nothing back to him. He asked her if she didn't want Mr. Gibbons to sleep with her, and asked her how close he Gibbons, slept to her, and also asked her

if she would not like to tangle legs, or tangle feet, with Gibbons. We all laughed at it, and I don't think she answered. He talked on a lot of stuff, I can't remember all.

Q.7.-- Did you ever see any improper conduct between Mr. Collier and Mrs. Gibbons, more than the talk you have just given?

A.-- I don't believe I ever did.

Cross Examination.

X.Q.1.-- In the talk which John Collier had in Mrs. Gibbons presence and in your presence, Mrs. Gibbons took no part in it did she?

A.-- I don't think she answered at all or said anything, more than we all just laughed.

X.Q.2.-- I understand from you that John Collier was simply trying to tease the old woman about old Mr. Gibbons, was he not?

A.-- He was joking all along and talking.

X.Q.3.-- Do you know John Collier to be a very rough talking man?

A.-- Yes sir.

X.Q.4.-- In the conversation he made no reference to he, himself having any improper relations with Mrs. Gibbons?

A.-- No sir.

Re examination.

Q.-- On the occasion referred to by you how long did Mr. Collier remain at Mrs. Gibbons' while you were there and who left first you or he?

A.-- I was there with him some four or five hours and I left him there when I went away.

Q.-- What time of the day was it when you left?

A.-- About four o'clock in the afternoon.

Re Cross examination.

Q.-- At whose house did this conversation take place?

A.-- At George Terry's.

And further this deponent saith not.

Robert Nelson

W.S.Sparks another witness of lawful age being duly sworn deposes as follows:

Q.1.-- Please state your age and place of residence.

A.-- I am 23 years old, reside about two miles northeast of Jonesville,

Q.2.-- Are you acquainted with the parties to this suit, if so how long have you known them?

A.-- I am acquainted with said parties. I have known Mr. Gibbons something like a year, and have known his wife some three or four years.

Q.-- Were you acquainted with the defendant while she was the widow of Willis Farley deceased, and while she lived near Silas Garrett's?

A.-- I was acquainted with her while she was the widow of Willis Farley, but not while she lived near Silas Garrett's. She lived something like a mile from said Garrett's when I first knew her.

Q. Are you acquainted with John Collier and how long have you known him?

A.-- I have known him for about ten years.

Q. 5.-- Did you live in the neighborhood where the defendant resided when she lived at the place you have spoken of?

A.-- I did.

Q.6.-- Were you at the defendant's house while she lived at the place where you first knew her, and if so how often.

A.-- I have been there. Nearly all the time since the first of January last, I passed the house twice every day.

Q.7.-- Did you ever see John Collier there at her house and if so how often?

A.-- I have seen him there several times. I can't say just how often.

Q.8.-- Did you ever see him there after night, and if so did he stay all night, or did he leave without staying all night?

A.-- I have seen him there after night, but whether or not he staid all night I cannot say.

Q.9.-- On such occasions when you left, did you leave him there?

A.-- I am not sure, but I think I have left him there after night.

Q.10.-- State whether or not he would have his dogs with him when he would come there?

A.-- Yes, I have seen him there with his dogs.

Q.11.-- Did you ever know him to tie his dogs there after night?

A.-- I never did.

Q.12.-- What kind of dogs did he have?

A.-- I think they were hounds.

Cross Examination.

X.Q.1.-- Do you know of any improper conduct between John Collier and Mrs. Gibbons?

A.-- I do not.

X.Q.2.-- Do you know how it happened that he was at Mrs. Gibbon's on the nights you have spoken of, or what his business was there?

A.-- I do not.

X.Q.3.-- Was this before or since she was married to Mr. Gibbons?

A.-- I don't remember now of having ever seen him there after her marriage to Mr. Gibbons.

X.Q.4.-- The nights you saw him there, who else was there?

A.-- Mrs. Farley, Sam Farley, her son, John Farley, her son, and Lizzie Farley, her daughter.

X.Q.5.-- These persons were all grown were they not, except the boy John and isn't he about twelve or fourteen years old?

A.-- They are all grown except John and I think he is about 12 years old.

X.Q.6.-- Do you know how many bed rooms there are to that house?

A.-- Just one.

X.Q.7.-- Sam, Lizzie and John Farley are children of Mrs. Gibbons are they not?

A.-- They are.

X.Q.8.-- Did you see any improper conduct between John Collier and Mrs. Farley on the nights you were there?

A.-- I did not.

Re-Examination.

Q.-- Do you know of Mr. Collier furnishing Mrs. Gibbons any provisions, wood or anything else?

A.-- I do not.

Q.-- Do you know of his furnishing her a cow?

A.-- They had a cow there that belonged to John Collier, they said, and I think she was taken back to Collier's. They milked the cow, but I don't know how long.

Re-Cross Examination.

Q.-- Don't you know they were simply milking the cow for her feed? and is it not very often customary in the country to let out cows for their feed, when their owners have more cows than they want for their own use?

A.-- I cannot state how she was there, but they were feeding her there and milking her. I have known it to be practiced sometimes in the country to let cows out for their feed.

Re-Re-Examination.

Q'-- Do you know anything about Mr. Collier taking some of Mrs. Gibbon's cattle to his place and feeding them for her last Spring?

A.-- I do not.

And further this deponent saith not.

W. B. Sparks,

The further taking of these depositions is adjourned till Dec. 9th, 1904, at the same place.

Geo. P. Cridlin Comr.

Met pursuant to adjournment.

Mrs. Nervesta Garrett, a witness being duly sworn, deposes as follows:

Q.1.-- Please state your age, place of residence, and state whether or not you are the wife of Silas Garrett?

A.-- I am about 45 years old, reside reside about 2 1-2 miles

northeast of Jonesville. I am the wife of Silas Garrett.

Q.2.-- Are you acquainted with the parties to this suit?

A.--I am. I have known Mrs. Gibbons since she was a girl. I have known Mr. Gibbons for about ten year, but have not known him very well except for the last two years.

Q.3.-- Are you acquainted with John Collier?

A.-- I am acquainted with John Collier, have known him since he was a boy. I have known him well for the last ten years. He has lived in about one mile of us.

Q.4.-- When Mrs. Gibbons lived near you, did you observe Mr. Collier visiting Mrs. Gibbons or visiting her house, and if so how often?

A.--I did notice him visiting there. She lived about twenty yards back of our house. Sometimes he would be there as much as two or three times a week, and maybe sometimes oftener. I could not say just exactly how often.

Q.5.-- About what time of day did he generally go to Mrs. Gibbons' if you observed?

A.-- Just at any time, no particular time.

Q.6.-- Please state whether or not you ever saw him carrying any provisions of any kind to Mrs. Gibbons or in that direction?

A.-- I have seen him carrying provisions in that direction, generally a shoulder of meat or a ham of meat or a side of meat. He would usually stop and talk a minute and say he was taking the things to Mr. Stewart.

Q.7.-- Where did Mr. Stewart live?

A.-- He lived about a half of mile beyond Mrs. Gibbons' and in the same direction. He had to go right by Gibbons in going to Stewarts'

Q.8.-- Did you ever see Mr. Collier hauling any wood to Mrs. Gibbons'?

A.-- I have. He hauled the wood pretty much all one winter while she lived there. He brought some hands there and began making a road through our place to Mrs. Gibbons'. I went and told my husband

about it and he told me to go and tell Mr. Collier to not dig there, and that if he did keep on he would have to get a warrant for him. I went and told Mr. Collier, and he said he would have a road through there to Mrs. Farley's (now Gibbons) if it cost him \$50.00, ~~and~~ ~~XXXXXXXXXX~~, but he quit working.

Q.9.-- Did you ever observe Mr. Collier and Mrs. Gibbons there at her house alone, and if so for what length of time?

A.--I never saw them there alone by themselves. I saw him one Sunday there, he staid pretty much all day, with no one there with them except her little boy who was about 7 or 8 years old.

Q.10.-- Did you ever see Mr. Collier and Mrs. Gibbons together anywhere else and if so when and what were they doing?

A.-- She went over to his house one day and he came back with her. The little boys was along that time, and that is the only time I ever saw them passing around by themselves.

Q.11.-- Was Mr. Collier, at the times you speak of, a married man or single?

A.-- He was a married man. His wife died about two months ago.

Q.12.-- Was Mrs. Gibbons married about that time?

A.-- She was a widow at that time.

Q.13.-- When Mr. Collier was visiting Mrs. Gibbons, did he ever have his fox dogs along with him?

A.-- He did.

Q.14.-- Did you ever observe Mr. Collier at Mrs. Gibbons' after night, and if so at what time of night?

A.-- I have heard him there after night, heard his voice, and heard his dogs. Some times we couldn't sleep for his dogs barking. Sometimes we would hear the dogs there all night.

Cross Examination.

X.Q.1.-- Of your own knowledge do you know anything of any improper relations or conduct between John Collier and Mrs. Gibbons?

A.--I do not. I never saw a thing wrong with them with my own eyes.

X.Q.2.-- The times that you speak of hearing dogs barking at her

house, did you see the dogs, or was you simply guessing it to be Mr. Collier's dogs?

A.-- I generally saw the dogs pass as they went out there and he would generally stay until in the night.

X.Q.3.-- Would you see him leave there after night?

A.-- No, I don't think I ever saw him leave, but I have heard him talking out there at night. I saw his hounds in the day time and heard them bark, and when I heard them at night I was almost certain they were his hounds that were barking.

X.Q.4.-- At the time you saw Mr. Collier going to Mrs. Farley's was your family and Mr. Collier's family friendly and on good terms?

A.-- When we first moved up there my husband and Mr. Collier were very friendly, but soon afterwards Mr. Collier seemed to get miffed about something. Then he and my husband had a few words about that road. They spoke when they met but Mr. Collier seemed a little cool. After Mrs. Farley moved away from there he got very friendly again.

X.Q.5.-- While Collier and Mr. Garrett were friendly and before Collier got miffed at something, he came to your house frequently did he not and visited you all in the usual way?

A.-- He did. He was there backwards and forwards as a neighbor.

X.Q.6.-- Isn't John Collier a man who drops in to see his neighbors when on good terms with them very frequently?

A.-- He is. He is a good hearted and friendly man, and will divide anything in the world he has with his neighbors.

Re Examination.

Q.-- Have you any ill-feeling towards Mr. Collier?

A.-- I have not.

And further this deponent saith not.

Herbert L. Garrett
Mark

Virginia, Lee County, to-wit:

I, Geo. P. Crailin, Commissioner in Chancery for the Circuit Court of Lee County, do certify that the foregoing depositions of Silas Garrett, Robert Nelms, W.S. Sparks and Nervesta Barrett, were taken, sworn to and subscribed, before me, at the times, place and for the purpose in the Caption mentioned.

Given under my hand this the 11th day of December, 1905.

Geo. P. Crailin
Commissioner in Chancery.

Henry Gibbons
vs { Depos.

Louisa Gibbons

Filed Dec. 11, 1906

J. H. T. Ewing clerk.

To Henry Gibbons

Take notice that I shall, on the 21st day of Nov. 1904,
at P. Dunnington's law office in the town of Louisville
Ky.

between the hours of 8 A. M. and 8 P. M., on that day, proceed to take the depositions
of John Farley, John Callis, Tom Farley & Rhena Millons.
and others, to be read in evidence in _____ behalf,
in a certain Suit- depending in the Circuit- court for the County
of Lee wherein you are Plaintiff
and I am Defendant.

and if from any cause, the taking of the said depositions be not commenced on that day, or, if commenced, be not concluded on that day, the taking of the same will be adjourned and continued from day to day, or from time to time, at the same place and between the same hours, until the same shall be completed.

Very respectfully,

Lucina Gibbons
By Dunnington Bros attys

Louisa Gibbons

also

NOTICE TO TAKE
DEPOSITIONS.

Henry Gibbons

P. J. Ross

p. 97-

Legal Service
is accepted

for 17th 1904.

Jas W. Orr, atty
for P. J. Ross.

The depositions of John Collier and others, taken before me, Geo.F.Gridlin, a Commissioner in Chancery for the Circuit Court of Lee County, Virginia, on the 21st day of November, 1904, pursuant to notice hereto attached, at the law office of R.L.Pennington in the town of Jonesville, Virginia, which depositions are intended to be read as evidence on behalf of defendant, in a certain suit in chancery now depending in the Circuit Court of Lee County, in which Henry Gibbons is plaintiff and Louisa Gibbons defendant.

Present: R.L.Pennington for defendant,

James W.Orr for plaintiff.

John Collier a witness of lawful age being duly sworn deposes as follows:

Q.1.-- State your age and place of residence.

A.-- I am 48 years old, reside about three miles east of Jonesville,

Q.2.-- Are you acquainted with Louisa Gibbons?

A.-- I am, have known her ever since she was a small girl.

Q.3.-- On the 20th day of June, 1904, she was married to Henry Gibbons. and the plaintiff alleges lived with her until the 16th day of October, 1904, when they separated. Mr. Gibbons has now brought a suit for a divorce, alleging adultery, and defendant's counsel is informed that the adultery charged was with you. You will please state whether at any time, Mrs. Gibbons has ever been guilty of adultery with you or any other improper conduct?

A.-- She has never been guilty of adultery with me, or of any other improper conduct with me. I have never seen anything wrong out of her.

Q.4.-- Can you state that so far as you know she is a woman of pure and chaste character.

A.-- I can. I never heard anything alleged against her until this suit.

Q.5.-- How close do you live to her?

A.-- I guess it is about two miles.

Q.6.-- Who was Mrs. Gibbons before she was married to Henry Gibbons?

A.-- She was the widow of Willis Farley.

Q.7.-- About what do you think is her age?

A.-- I gues she is about 52 years old. She is elder than I am.

Q.8.-- Defendant's counsel are also informed that on the 16th day of October last, Mr. Gibbons alleges that there was some improper conduct between you and Mrs. Gibbons, an occasion at which Gibbons was locked out of the house and you and others were locked in the house. You will please state what happened on that occasion and who locked the door?

A.-- On the day mentioned I went to Mrs. Gibbons' house to hire her to come and stay at my house. My wife was sick and I was in need of some one to stay. I had heard that Gibbons and his wife had parted. When I went there the old man Gibbons was there. Sam Farley and his wife, George Terry's wife, John Farley and her Grand son, Morgan William's boy, were there. I said to Mr. Gibbons that I had come over to hire him and his wife to come over to our house and work for us. He said he couldn't hire that he had ~~xxxxx~~ his wood chooping to do. Mrs. Gibbons came in after awhile with some milk, I suppose she had been out milking. I told her I had come over to hire her and the old man, but he wouldn't hire as he had his wood to chop. She said she couldn't go becuase they had their cane to make up. We were out in the yard when the above conversation took place. The two boys above spoken of were in the room by a fire. I had walked across the ridge and had gotten a little warm and thought I would step in the house by the fire. After I went in, perhaps, ten minutes, Mrs. Gibbons came in, and then John Farley shut the door and fastened it, in a moment Mr. Gibbons came to the door and said let him in. John Farley told him, as I remember, that he had left about a week ago, and took all he had with him, and had left and said he wasn't going to stay there any longer, and that he wasn't going to let him in, that it was not his home, and he didn't have anything there. The old man said I am not going to ask to get in another time, and then started on off, and immediately I got up and left.

Cross Examination.

X.Q.1.-- You say you have known the defendant since she was a small girl, and that she lived near you several years?

A.-- Yes sir.

X.Q.2.-- How far did she live from you when Willis Farley her first husband died?

A.-- Hardly a mile.

X.Q.3.-- How long did she continue to live there after his death?

A.-- Some three to five years I guess.

X.Q.4.-- How far was her residence during that time from the residence of Silas Garrett?

A.-- Near about one-half mile.

X.Q.5.-- How long did she live that near to Silas Garrett?

A.-- About two or three years.

X.Q.6.-- Was it in sight of Mr. Garrett's?

A.-- It was not where Garrett first lived, but afterwards he built nearer where she lived and in sight.

X.Q.7.-- How long did she lived in sight of Mr. Garrett's?

A.-- I guess not more than one year.

X.Q.8.-- Was she living there when she married Mr. Gibbons?

A.-- No she had moved away from that place.

X.Q.9.-- How far did she live from you when she married Gibbons?

A.-- Two miles I guess.

X.Q.10.-- Did you ever visit Mrs. Gibbons while she lived in one-half mile of Mr. Garrett's?

A.-- Yes sir, I have been there.

X.Q.11.-- How often did you visit her?

A.-- Maybe once a month or two or three times a year. I could not state how often.

X.Q.12.-- How often did you visit her while she lived in sight of Mr. Garrentt's?

A.-- I might have been there a dozen times a year, or more or less. They came after me to haul wood for them once and a while and I would go there and haul for them. They visited us and we visited them.

We were just neighbors.

X.Q.13.-- Do you state positively that no improper conduct occurred between you and Mrs. Gibbons during all these visits or at any other time?

A.-- I do state that positively.

X.Q.14.-- After she moved to where she lived when she and the plaintiff were married, did you visit her any at that place.

A.-- I did. She owed us some and I took yarn there to have her to knit socks for our children.

X.Q.15.-- You say that you had been informed that the plaintiff and defendant had separated?

A.-- Yes sir.

X.Q.16.-- What cause did you understand had brought about the separation?

A.-- I understood that he was jealous of his wife.

X.Q.17.-- On the 16th of October, when you say you were at ~~xxxx~~ her house, do you remember Mr. Gibbons looking in at the window while the door was fastened?

A.-- I don't remember, he might have done it.

X.Q.18.-- How many rooms are in that house?

A.-- One room and a small kitchen with a porch between.

X.Q.19.-- Which room were you and Mrs. Gibbons in?

A.-- We were in the main room.

X.Q.20.-- Was any one else in that room?

A.-- Two boys. One her son and the other her grandson.

X.Q.21.-- Who was in the other room?

A.-- If anybody I don't know it.

X.Q.22.-- Where was Mrs. Terry?

A.-- She was in the yard when the boy fastened the door, and I didn't see her after that.

X.Q.23.-- How long has the plaintiff Henry Gibbons, ~~xxxxxxxxxxxx~~ been a citizen of this County?

A.-- For several years.

And further this deponent saith not.

John Collins

Virginia, Lee County, to-wit:

I, Geo.P.Cridlin, Commissioner in Chancery for the Circuit Court of Lee County, Virginia, do certify that the foregoing deposition of John Collier was taken, sworn to and subscribed, before me, at the time, place and for the purpose in the caption mentioned.

Given under my hand this the 11th day of December, 1905.

Geo.P.Cridlin
Commissioner in Chancery.

Louisa Gibbons
ads { Defts
Expos
Henry Gibbons

Filed Dec. 12 1905

H. H. T. Ewing Clerk

Cover. Fee 75 cts

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon *Louisa Gibbons*

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on the *1st* Monday in *Nov.*, 190*4* to answer a bill in chancery exhibited against *her* in our said court by

Henry Gibbons

And have then there this writ. Witness, *H. B. Munsey*, Clerk of our said Court, at the court-house, the *28* day of *Oct.*, 190*4*, and in the 12*th* year of the Commonwealth.

H. B. Munsey, Clerk.
By *M. A. Haney*, D.C.

Henry Gibbons

vs.

SUBPEONA
IN CHANCERY.

Louisa Gibbons

Per & Noel p. q.

To 1st Nov. Rules.

Lee Circuit Court.

Executed by delivering an
attested office copy of the writ
- in writ to
- a member of the family of the
defendant over the age of six
- teen years, at the place of abode
of the defendant and explaining
the same to her, the defendant
not being at her usual place
of abode, Nov 5th 1904.

P. M. Ball, C. L. C.

The Commonwealth of Virginia,

or any Constable
To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU THAT YOU SUMMON

Silas Garrett & Vesta Garrett
his wife, *Wm Sparks,*

undersigned Notary Public
to appear before the Judge of our Circuit Court of the County of Lee, at the court-house
in Jonesville Va thereof, on the *28th* day of *Nov* 1904, to testify and the truth to say
in behalf of the *Plaintiff*, in a certain matter of controversy in our said court
before the said Judge depending and undetermined between *Henry Gihbons*
Plaintiff, and

Louisa Gihbons Defendant . And this *they*
shall in no wise omit, under the penalty of £100. And have then there this writ.
Witness, *A. B. Munsey*, Clerk of our said court, at the court-house the *23rd* day of
Nov 1904, and in the 12 *9th* year of the Commonwealth.

H. C. T. Ewing, Clerk.

Henry Gibbons

vs.

}

SUBPOENA

FOR

WITNESS.

Laurie Gibbons

at the Court,
the 28 day of Nov

1904

Executed Nov 26
1904 by signing
the within witness
D. B. Byington
A. L. C.

The Commonwealth of Virginia:

To the *Sheriff* of the *County of Lee*, Greeting:

WE COMMAND YOU, To summon *John Farley John Cullen's Son Farley*
Alma Williams

~~at the Court-house~~ *at the Court-house* ~~thereof~~ *in the town of Louisa, Va*
to appear before the Judge of our Court of the *County of Lee* at
the court-house thereof, on the *21st* day of *Nov.*, 190*4*, to testify and the
truth to say in behalf of the *Defendant*.

in a certain matter of controversy
in our said court, before the said Judge depending and undetermined, between

Henry Gibbons Plaintiff,

and *Louisa Gibbons* Defendant;

And have then there this writ. Witness *H. T. Ewing*, Clerk of
our said Court, at the court-house, the *18* day of *Nov.*, 190*4*, and in
the 12 *9* year of the Commonwealth.

H. T. Ewing, Clerk.

Louisa Gibbons

and }

SUBPENA
FOR
WITNESS

Murray Gibbons.

..... Court,

the day of

190.....

Executed Nov 21-1904
by serving the
within witnesses
D. B. Byington
C. L. C.